

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

SPENCER C.,	:	
Plaintiff,	:	
	:	
v.	:	C.A. No. 17-536PAS
	:	
NANCY A. BERRYHILL,	:	
Acting Commissioner of the Social Security	:	
Administration,	:	
Defendant.	:	

ORDER

After due consideration of the parties' arguments and review of the entirety of the Administrative Record, for the reasons stated at the hearing held on October 5, 2018, Plaintiff's Motion to Reverse the Decision of the Commissioner (ECF No. 9) is GRANTED; and Defendant's Motion for an Order Affirming the Decision of the Commissioner (ECF No. 12) is DENIED. On remand, the administrative law judge ("ALJ") shall comply with the requirement in HALLEX I-2-6-56, 1993 WL 643035, to "ensure that the administrative record is fully and fairly developed," including by determining whether the treating source opinion from Dr. Andriotis is complete, and, if not, to procure the missing pages, as well as by determining whether relevant medical records are available from Bradley Hospital or any other treating source. Once the record is fully and fairly developed, the ALJ may, but is not required to conduct a hearing and to receive evidence from a medical expert.

Therefore, the Clerk shall enter Final Judgment in favor of Plaintiff, reversing the Commissioner's decision pursuant to sentence four of 42 U.S.C. § 405(g) and remanding this matter for further administrative proceedings consistent with the Court's ruling.

So ordered.

ENTER:

/s/ Patricia A. Sullivan

PATRICIA A. SULLIVAN

United States Magistrate Judge

October 5, 2018